

INTRODUCED: March 6, 2020

AN ORDINANCE No. 2020-079

To amend § 30-930.6 of the City Code, concerning certificates of appropriateness, for the purpose of establishing a fee for filing an application for a certificate of appropriateness, and to amend Appendix A of the City Code by adding therein new fees for City Code §§ 30-930.6, concerning certificates of appropriateness, and 30-1020.4(a), concerning fees for filing an application for a certificate of zoning compliance, of the City Code, to establish new charges for such services.

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Patron – Mayor Stoney  
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Approved as to form and legality  
by the City Attorney  
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PUBLIC HEARING: APR 13 2020 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 30-930.6 of the Code of the City of Richmond (2015) be and is hereby amended and reordained as follows:

**Sec. 30-930.6. Certificate of appropriateness.**

(a) *Approval required.* No building or structure or any exterior portion thereof, sign or paving shall be constructed, altered, reconstructed, repaired, restored or demolished within any old and historic district unless the building or structure or any exterior portion thereof, sign or paving is approved by the Commission of Architectural Review or, on appeal, by the City

AYES:            5            NOES:            4            ABSTAIN: \_\_\_\_\_

ADOPTED:   MAY 11 2020   REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

Council, as being architecturally compatible with the buildings, structures, sites and general character of the old and historic district. All such approvals shall be evidenced by a certificate of appropriateness. No permit to construct, alter, reconstruct, repair, restore or demolish any building, structure or site shall be issued by the Commissioner of Buildings unless the applicant has first obtained approval of a certificate of appropriateness for such work.

(b) *Submission of application.* An application for certificate of appropriateness required pursuant to this section shall be submitted to the Secretary of the Commission of Architectural Review in writing by the owner of such building or structure. When a work-in-street, land disturbing, building, sign or demolition permit is required, the applicant shall apply for other necessary permits at the same time an application for a certificate of appropriateness is submitted. The application for such certificate of appropriateness shall be accompanied by a fee as set forth in Appendix A to this Code and plans and specifications which shall show the proposed exterior architectural features of such building or structure, which shall include but shall not be limited to the design, arrangement, texture, materials and color proposed to be used in the construction, alteration, reconstruction, repair, restoration, or demolition of the building or structure and the type of windows, exterior doors, lights, signs, site improvements, and other exterior fixtures and appurtenances. Upon the filing of such application with the Secretary of the Commission, the Secretary shall promptly transmit it with such plans and specifications to the Commission.

(c) *Approval or disapproval of application and issuance.* Upon receipt of a completed certificate of appropriateness application pursuant to this section, the of Architectural Review Commission shall approve or disapprove such and, if approved, shall issue a certificate of appropriateness therefor, with or without conditions or with such modifications of the plans and

specifications as the Commission of Architectural Review deems necessary to execute the purpose set forth in Section 30-930.2 and to require compliance with the regulations set out in this division. Otherwise, such plans and specifications shall be deemed rejected, and the Commission shall not issue a certificate of appropriateness.

(d) *Conceptual review.* Any person may request the Commission of Architectural Review to review conceptual design proposals for exterior work before submitting a formal application for a certificate of appropriateness required pursuant to this section. The Commission shall review and discuss the proposal with the applicant and make any necessary recommendations. Such conceptual review shall be advisory only.

(e) *Notification to public.* The Secretary shall use the following procedures in notifying the public of cases for certificates of appropriateness being considered by the Commission of Architectural Review:

(1) *General notification.* A concise agenda, listing all items to be reviewed by the Commission of Architectural Review and the date, time and place of the Commission meeting shall be published at least seven days prior to the meeting in a daily newspaper of general circulation in the City.

(2) *Direct notification of affected property owners.* When a certificate of appropriateness application involves a substantial impact, as defined in Section 30-930.1, in an old and historic district, the property owners of all property or portions of property located within 150 feet of the project shall be notified of the prospective change and of the date, time, and place of the meeting at which such change shall be considered by the Commission. Such notice shall be by regular mail and mailed at least seven days prior to the meeting.

(f) *Scope of review.* A certificate of appropriateness shall be required for all alterations to a building, structure, or site which is subject to a public view.

(g) *Reasons for Commission action.* The Commission of Architectural Review shall state clearly its reasons for approval, denial, modification, or deferral of an application for a certificate of appropriateness in the records of the Commission proceedings.

(h) *Delegation of applications for review by Commission Secretary.* The Commission of Architectural Review may choose to delegate certain types of applications for a certificate of appropriateness for review by the Secretary. The Commission shall designate such items which are subject to review and shall issue guidelines for the Secretary to conduct the review. Any application for a certificate of appropriateness for any such designated design feature may be approved by the Secretary of the Commission without full Commission action, unless the Secretary finds that a particular structure has unique characteristics that may call for a different design treatment. In such cases, the Secretary shall schedule the application for Commission consideration at its next meeting. The Secretary shall keep a record of all such approvals and shall provide the Commission with a report of all new approvals at each of its regular meetings.

(i) *Normal maintenance and repair.* Nothing in this division shall be construed to prevent the normal repair and maintenance of any exterior architectural feature located in an old and historic district.

(j) *Unsafe and dangerous conditions.* Nothing in this division shall be construed to prevent the construction, reconstruction, alteration or demolition of any such building or feature which the Commissioner of Buildings shall determine is required for public safety because of an unsafe or dangerous condition. Upon the determination of such a condition, the Commissioner of Buildings shall provide notice to the Commission of Architectural Review.

(k) *Payment of delinquent real estate taxes.* Approval of a certificate of appropriateness pursuant to this section shall not be granted until satisfactory evidence has been presented to the Secretary of the Commission of Architectural Review that any delinquent real estate taxes applicable to the subject property have been paid.

§ 2. That Appendix A of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein** new fees for sections 30-930.6(k) and 30-1020.4(a) of the Code of the City of Richmond (2015) as follows:

<i>Code Section</i>	<i>Description</i>	<i>Fee</i>
30-930.6(b)	<u>Fees for filing an application for a certificate of appropriateness:</u>	
	(1) <u>Full demolition</u>	<u>\$1,500.00</u>
	(2) <u>New construction of or an addition to a single- or two-family dwelling, or accessory building</u>	<u>\$250.00</u>
	(3) <u>New construction of or an addition to a building, other than for a single- or two-family dwelling or accessory building</u>	<u>\$500.00</u>
	(4) <u>Amendments to previous certificates of appropriateness concerning non-structural alterations, changes to signage, and changes to plans</u>	<u>\$150.00</u>
	(5) <u>Extension of a certificate of appropriateness</u>	<u>\$25.00</u>
30-1020.4(a)	Fee for filing an application for a certificate of zoning compliance:	
	(1) Home occupation	\$75.00
	(2) Single- or two-family detached or attached dwelling	\$75.00
	(3) Private elementary or secondary school	\$75.00
	(4) Church or other place of worship	\$75.00
	(5) Day nursery	\$75.00
	(6) Adult day care facility	\$75.00
	(7) Multifamily dwelling (three to ten units)	\$150.00
	(8) Multifamily dwelling (11 to 50)	\$300.00
	(9) Multifamily dwelling (more than 50 units)	\$500.00
	(10) Commercial or industrial use equal to or less than 5,000 square feet	\$150.00
	(11) Commercial or industrial use greater than 5,000 square feet	\$300.00
	(12) Adult care residence or lodginghouse	\$300.00

(13)	Portable storage unit	\$10.00
(14)	Wireless communications facility	\$500.00
(15)	Uses not specified	\$200.00
(16)	<u>Short-term rental (two years)</u>	<u>\$300.00</u>

§ 3. This ordinance shall be in force and effect on July 1, 2020.